REMARKS

This Application has been reviewed carefully in light of the Office Action mailed August 25, 2005 ("*Office Action*"). Claims 1-17 were pending in the Application and stand rejected. Applicant respectfully requests reconsideration and favorable action in this case.

I.   **Drawing Objections: The Drawings Show Every Feature of the Claims.**

The Examiner objects to the drawings under 37 C.F.R. §1.83(a). In particular, the *Office Action* asserts that two elements are not shown by the drawings: "trigger" and "responding to receipt of said trigger through said communications link by effecting said initiating of execution of said project definition." (*Office Action*, pgs. 3-4). Applicant respectfully disagrees. Applicant's previously submitted arguments are repeated below.

A.   **The drawings show a "trigger."**

Request queue 296 of Figure 9 illustrates one example of a "trigger." As discussed in the specification from line 30 of page 71 to line 24 of page 72:

> The memory 278 also stores a request queue 296. Execution of one of the project definitions 286 is initiated in response to receipt by the process server 212 of a request. Such a request may arrive through the intranet 206 and/or Internet 208, for example from a user at one of the workstations 211 and 226. When the request arrives, the request is temporarily placed in the queue 296, which implements a first-in, first-out stack. Typically, the request will identify one of the project definitions stored at 286 in one of the sets of user data 281-284. Alternatively, however, the request may be accompanied by a project definition and any custom definitions used by that project definition, which are then temporarily stored in the user data 281 for that user, until execution of that project definition has been completed.
>
> Requests for the queue 296 may also originate in some other manner. For example, assume that a given project definition stored in one of the portions 286 of the memory 278 processes data from the database 227. The database 227 may include a script or other intelligence which, in response to a change to the pertinent source data in the database 227, automatically generates and sends to the process server 212 a request for execution of the given project definition, so that the modified data will be automatically processed. According to a feature of the invention, each request sent from any source to

the process server 212 is expressed in a public communication protocol, which in the disclosed embodiments is the XML protocol.

Thus, Applicant submits that the drawings, as presently presented, show at least one embodiment of a "trigger."

B.   **The drawings show "responding to receipt of said trigger through said communications link by effecting said initiating of execution of said project definition."**

Figure 11 illustrates one example of "responding to receipt of said trigger through said communications link by effecting said initiating of execution of said project definition." As discussed in the specification from line 17 of page 74 to line 20 of page 77:

> FIGURE 11 is a flowchart showing a portion of the operation of the load balancing module 309, and in particular deals with how tasks corresponding to the requests in the queue 296 are allocated among the imaging servers 221-223. At block 361, the processor 277 checks to see whether the queue 296 is empty. If it is empty, then the processor waits at block 361 until there is at least one request in the queue. Of course, the activity depicted in FIGURE 11 will typically be carried out on a time sliced basis, such that the processor 277 will be simultaneously executing other routines in parallel with the loop shown in FIGURE 11, including the routine shown in FIGURE 10.
>
> When it is determined at block 261 that the queue 296 includes at least one request, then control proceeds from block 361 to block 362. In block 362, the processor 277 retrieves from the queue 296 the request which has been in the queue the longest. Then, at block 363, the load balancing module 309 in the processor 277 interacts with the imaging servers 221-223 through the watchdogs 306-308 and the intranet 206, in order to determine the extent to which each has available capacity for additional work. If none of them has any significant amount of available capacity, then at block 366 control is returned to block 363, in order to continue to evaluate availability of the processors in the imaging servers, until it is determined at block 366 that at least one of the imaging servers 221-223 has some available processing capability.
>
> Control then proceeds from block 366 to block 367, where the load balancing module 309 evaluates the project definition 286 associated with the request which was retrieved

from the queue at block 362. This evaluation may include inspection not only of the project definition itself, but also some of the data which is slated to be processed by that project definition. The evaluated characteristics may include the complexity of the project definition, and also the type and amount of data which that project definition is slated to process. For example, in the case of image data, the amount of image data depends on both the number of images and also the size of the images.

Control then proceeds to block 368, where the evaluations made in block 363 and 367 are used to determine whether it is possible to launch execution the project definition which is identified by the request drawn from the queue at 362. In this regard, there are several different ways in which a given project definition can be launched. First, if one of the imaging servers 221-223 has a level of availability which will permit it to take on execution of the project definition in question, execution of the project definition can be launched on that imaging server alone. However, if the project definition itself is relatively complex, and/or if there is a relatively large amount of data which it must process, two or more instances of the project definition may be launched, each configured to process a respective mutually exclusive portion of the specified data. A decision needs to be made as to whether to launch them on the same processor or on different processors.

In more detail, where it appears that two or more instances of the same project definition should be launched, the load balancing server must also factor in the available capacity of the imaging servers 221-223. Assuming that there is a satisfactory level of capacity in the imaging servers, each instance of the given project definition will typically be launched on a respective different one of the imaging servers 221-223. However, where one of the imaging servers 221-223 has significant capacity, it is possible that two or more instances of the same project definition could be launched on the same processor, if it appeared that the project definition and associated data were such that both instances could be efficiently processed at the same time. In this regard, and as noted above, there will be points in time when the execution of a project definition is temporarily idle, for example because it is waiting for data to arrive through a network, or because it includes an Interactive module (TABLE 2) and is waiting for a user response. When one instance of the project definition is idle, the other instance(s) can be active, as a result of which it is possible for a single processor to more quickly execute two instances of the same project definition handling respective

portion of the data than to execute a single instance handling all the data.

If it is determined at block 368 that there is an appropriate way to launch the project definition in question, control proceeds from block 368 to block 371, where the project definition is launched in the form of one or more instances on one or more imaging servers. Each such instance is launched by having the load balancing module 309 configure a task of the type shown at 251 or 252 (FIGURE 9), including the project definition at 256, and including at 257 any executables that correspond to any custom definitions which are used in that project definition. Control then proceeds from block 371 to block 372, where the load balancing module 309 provides to one or more of the watchdogs 306-308, as appropriate, information regarding the instance(s) of the project definition which have just been launched, and which the watchdog(s) will need to monitor. In this regard, the watchdogs 306-308 will already be running, but are initialized with information specific to the new project definition, so that each watchdog monitoring an imaging server that is executing an instance of the project definition will be fully aware of all project definitions that are being executed by that imaging server. From block 372, control returns to block 361, to handle the next successive request in the queue.

Thus, Applicant submits that the drawings, as presently presented, show at least one embodiment of "responding to receipt of said trigger through said communications link by effecting said initiating of execution of said project definition."

Applicant presented the above descriptions and discussion in response to the Examiner's initial objections to the drawings. In response, the Examiner notes that the drawings merely provide examples and appears to request that Applicant provide specific definitions for the limitations in the claims. Applicant respectfully submits that the claim terms should take their plain, ordinary meaning, given their context, as would be attributed by one of ordinary skill in the art.

Also, the *Office Action* states: "The drawings must show every feature of the invention specified in the claims." (*Office Action*, pg. 4.) The implication that the drawings should disclose more than examples runs afoul of settled case law. The specification, including the drawings, need not be a production specification detailing every conceivable embodiment of the claimed invention. *See, e.g., Koito Mfc. Co. v. Turn-Key-Tech LLC*, 381 F.3d 1142, 1155-56 (Fed. Cir. 2004). Rather, providing specific embodiments contemplated

by the inventors satisfies the requirements of § 112. *See, e.g., Cordis Corp. v. Medtronic, Inc.,* 339 F.3d 1352, 1365 (Fed. Cir. 2003) (a patentee is not required to describe in the specification every conceivable and possible future embodiment of his invention).

Because the drawings show at least one embodiment of all aspects of the claims, Applicant respectfully submits that the drawings comply with all requirements. Applicant respectfully requests reconsideration and withdrawal of the objection to the drawings.

II.   Section 101 Rejections: Claims 1-17 Are Directed to Statutory Subject Matter.

The Examiner rejects Claims 1-17 under 35 U.S.C. 101 as directed to non-statutory subject matter. The *Office Action* states, "Claims 1, 7, 11 and 16 are not limited to tangible embodiments. In view of Applicant's disclosure, the medium is not limited to tangible embodiments nor does the disclosure state what a computer-readable medium could be." (*Office Action*, pg. 3). Applicant respectfully traverses this rejection.

The Board of Patent Appeals and Interferences recently confirmed that methods or processes, such as those recited in independent Claims 1, 7, 11, and 16, are patentable subject matter. "[A]ll that is necessary, in our view, to make a sequence of operational steps a statutory 'process' within 35 U.S.C. § 101 is that it be in the technological arts so as to be in consonance with the Constitutional purpose to promote the progress of 'useful arts.' Const. Art. 1, sec. 8." *Ex Parte Lundgren*, Appeal No. 2003-2088, 2004 WL 3561262 (Bd. Pat. App. & Interf., April 20, 2004) (citing *In re Musgrave*, 431 F.2d 882, 893, 167 U.S.P.Q. 280, 289 (CCPA 1970)).

Thus, Applicant respectfully submits that independent Claims 1, 7, 11, and 16 are directed to statutory subject matter. Because independent Claims 1, 7, 11, and 16 are directed to statutory subject matter, Applicant respectfully requests reconsideration and allowance of Claims 1, 7, 11, and 16 and their respective dependent claims.

III.   Section 112 Rejections: Claims 2, 3, 8, 9, 10, 11, and 15-17 Comply With the Enablement Requirement.

The Examiner rejects Claims 2, 3, 8, 9, 10, 11 and 15-17 under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. In particular, the *Office Action* asserts that a "trigger" is not described in the specification in such a way as to enable

one skilled in the art to make and or use the invention. (*Office Action*, pgs. 4-5.) Applicant respectfully disagrees. Applicant's previously submitted arguments demonstrated that the specification fully enables this element, and these arguments are repeated below.

The specification includes numerous descriptions of triggers and thus describes a trigger in such a way as to enable one skilled in the art to make and use the invention. For example, the specification, at lines 3-20 of page 101, summarizes ways to trigger the execution of a project definition:

> The present invention provides a number of technical advantages. One such technical advantage results from the provision of the capability to trigger the execution of a project definition in various ways. One such capability is effective where an update is made to source data that is processed by the project definition, and involves automatic triggering of execution of the project definition. Another such capability is effective where execution of the project definition is triggered by receipt of a communication that is expressed in a public communication protocol, such as the eXtensible Markup Language (XML). These capabilities reduce or eliminate the need for human interaction to trigger execution of a project definition, and/or permit the execution of a project definition to be initiated from a remote location. Consequently, the functionality of project definitions according to the present invention is increased, while in many cases reducing or eliminating the possibility of human error.

The use of a communication to trigger execution of a project definition is discussed in other parts of the specification. For example, as discussed in the specification from line 30 of page 71 to line 24 of page 72:

> The memory 278 also stores a request queue 296. Execution of one of the project definitions 286 is initiated in response to receipt by the process server 212 of a request. Such a request may arrive through the intranet 206 and/or Internet 208, for example from a user at one of the workstations 211 and 226. When the request arrives, the request is temporarily placed in the queue 296, which implements a first-in, first-out stack. Typically, the request will identify one of the project definitions stored at 286 in one of the sets of user data 281-284. Alternatively, however, the request may be accompanied by a project definition and any custom definitions used by that project definition, which are then temporarily stored in the user data 281 for that user, until execution of that project definition has been completed.

> Requests for the queue 296 may also originate in some other manner. For example, assume that a given project definition stored in one of the portions 286 of the memory 278 processes data from the database 227. The database 227 may include a script or other intelligence which, in response to a change to the pertinent source data in the database 227, automatically generates and sends to the process server 212 a request for execution of the given project definition, so that the modified data will be automatically processed. According to a feature of the invention, each request sent from any source to the process server 212 is expressed in a public communication protocol, which in the disclosed embodiments is the XML protocol.

These descriptions of a trigger would enable one skilled in the art to make and use at least one embodiment of the invention as claimed.

As above with respect to the objections to the drawings, Applicant presented the preceding descriptions in response to the Examiner's initial rejection under § 112, first paragraph. In response, the Examiner noted that the drawings and referenced portions of the specification merely provide examples, and the Examiner again requested specific definitions for the limitations in the claims. Again, Applicant respectfully submits that the claim terms should take their plain, ordinary meaning, given their context in the claim language and the descriptions in the specification, as would be attributed by one of ordinary skill in the art.

The specification provides specific embodiments contemplated by the inventors and fully satisfies the requirements of § 112. Thus, Applicant respectfully submits that Claims 2, 3, 8, 9, 10, 11 and 15-17 comply with the enablement requirement. Accordingly, Applicant respectfully requests reconsideration and allowance of Claims 2, 3, 8, 9, 10, 11 and 15-17.

IV.   **Section 103 Rejections: Claims 1-17 Are Patentable Over the References Because the Combination is Improper and the Combination Fails to Teach or Suggest All Elements of the Claims.**

The Examiner rejects Claims 1-17 under 35 U.S.C. 103(a) as unpatentable over the combination of U.S. Patent No. 6,654,795 to Coile ("*Coile*"), U.S. Patent No. 6,333,752 to Hasegawa et al. ("*Hasegawa*"), U.S. Patent No. 6,202,070 to Nguyen et al. ("*Nguyen*"), and U.S. Patent No. 6,441,913 to Anabuki et al. ("*Anabuki*"). To establish a *prima facie* case of obviousness, there must be a suggestion or motivation in the prior art to modify or combine

the references, and the combination must teach or suggest all elements of the rejected claims. *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991). Applicant respectfully submits that the rejection of Claims 1-17 under 35 U.S.C. § 103 fails both of these requirements. First, there is no suggestion or motivation in the cited references or in the prior art to combine *Coile*, *Hasegawa*, *Nguyen*, and *Anabuki*. Second, even if the combination were proper, the proposed *Coile-Hasegawa-Nguyen-Anabuki* combination fails to teach or suggest all elements of the claims.

A.   There is no suggestion or motivation in the cited references or in the prior art to combine *Coile, Hasegawa, Nguyen*, and *Anabuki*.

The proposed combination of *Coile*, *Hasegawa*, *Nguyen*, and *Anabuki* is improper because the prior art fails to suggest or motivate the proposed combinations of the references. The factual inquiry whether to combine references must be thorough and searching. *McGinley v. Franklin Sports, Inc.*, 262 F.3d 1339, 1351-52 (Fed. Cir. 2001). This factual question cannot be resolved on subjective belief and unknown authority, but must be based on objective evidence of record. *See In re Lee*, 277 F.3d 1338, 1343-44 (Fed. Cir. 2002).

Nothing in *Coile*, *Hasegawa*, *Nguyen*, or *Anabuki* suggests or motivates the proposed combination. *Coile* provides "a system and method supporting efficient distribution of file access requests across one or more storage device systems." *Coile*, Abstract. *Hasegawa* provides an image processing apparatus that permits a user to view the effect of different combinations of parameters on a number of "peripheral" images related to a reference image. *See Hasegawa*, Col. 2, line 62 – Col. 3, line 8; Figure 9. *Nguyen* "discloses a system of software distribution in computer manufacturing which manages and distributes software from release by a software engineering group to installation at a remote manufacturing site or testing facility." *Nguyen*, Abstract. *Anabuki* provides "an image processing apparatus that receives input image data in the form of separated data, combines those data, and outputs the combined one." *Anabuki*, Col. 1, lines 5-9.

These disparate fields of endeavor highlight the dramatic differences between the teachings of each reference. The U.S. classifications and fields of search emphasize these differences. None of the four references have common U.S. classifications with each other. *Coile* is classified in 709: "ELECTRICAL COMPUTERS AND DIGITAL PROCESSING

SYSTEMS: MULTICOMPUTER DATA TRANSFERRING;" *Hasegawa* in 345: "COMPUTER GRAPHICS PROCESSING AND SELECTIVE VISUAL DISPLAY SYSTEMS;" *Nguyen* in 707: "DATA PROCESSING: DATABASE AND FILE MANAGEMENT OR DATA STRUCTURES;" and *Anabuki* in 358: "FACSIMILE AND STATIC PRESENTATION PROCESSING."

Further, while *Coile* and *Nguyen* have minor overlap with respect to the indicated fields of search, neither *Hasegawa* nor *Anabuki* shares any overlapping fields of search with either *Coile, Nguyen*, or the other. In fact, the references for *Hasegawa's* fields of search are contained in a completely different search room at the Patent Office than for *Coile, Nguyen*, or *Anabuki*. Thus someone searching for references related to *Hasegawa* would be hard pressed to come across *Coile, Nguyen*, or *Anabuki*, and even more hard pressed to find a motivation to combine the references.

Applicant respectfully submits that the *Office Action* fails to demonstrate a sufficient suggestion or motivation to combine the references. For example, with regard to Claim 1, the *Office Action* states:

> It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Hasegawa with Coile because it would allow the user to easily check the characteristics of each image, and quickly grasp situations such as separated shape and size of the image on the contracted image, therefore the user can efficiently retrieve and manipulate any image. [sic]

(*Office Action*, pg. 7). Then, the *Office Action* states:

> It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Anabuki with the combine system of Coile, Hasegawa and Nguyen because utilizing an input and output portion allows the device to obtain image data form outside devices such as a communication network or facsimile machine, manipulate image data to the clients specification and output the newly manipulated image data to another device on the communication network such as a external storage device. [sic]

(*Office Action*, pg. 9).

Applicant respectfully submits that this statement does not provide the required evidence of a teaching, suggestion, or motivation to combine or modify the references. This statement represents the subjective belief of the Examiner, does not point to any known

authority, and therefore is not based on objective evidence of record. Thus, the *Office Action* has not provided any evidence of a teaching, suggestion, or motivation to combine or modify the reference, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art.

For these reasons the *Office Action* fails to present a *prima facie* case of obviousness. Thus, the proposed combination of *Coile, Hasegawa, Nguyen,* and *Anabuki* is improper. For at least this reason, Applicant respectfully submits that Claims 1-17 are allowable over the cited references and requests reconsideration and allowance of Claims 1-17.

B.   The proposed *Coile-Hasegawa-Nguyen-Anabuki* combination fails to teach or suggest all elements of the claims.

Applicant respectfully submits that, even if the proposed combination is given, *Coile, Hasegawa, Nguyen,* and *Anabuki,* whether taken alone or in combination, fail to teach or suggest every element of the claims. Consider Applicant's independent Claim 1, which recites:

> A method, comprising the steps of:
> providing a set of predetermined function definitions which are different, at least one of said predetermined function definitions defining a function for manipulating image data;
> storing a project definition that is operable when executed to process said image data and includes: a plurality of function portions which each correspond to one of said function definitions in said set, and which each define at least one input port and at least one output port that are functionally related according to the corresponding function definition; a further portion which includes a source portion identifying a data source and defining an output port through which said image data from the data source can be produced, and which includes a destination portion identifying a data destination and defining an input port through which said image data can be supplied to the data destination; and binding information which includes binding portions that each associate a respective said input port with one of said output ports;
> displaying a project window that includes a graphical representation of said project definition;
> allowing a user to modify said project definition by interacting with said graphical representation using a pointing tool; and

> automatically initiating execution of said project
> definition in response to a change to said image data in said
> data source;
>   wherein said execution of said project definition
> operates at least in part to manipulate a graphical aspect of said
> image data.

Among other elements, Applicant respectfully submits that the references fail to teach or suggest two limitations of Claim 1: (1) "storing a project definition that is operable when executed to process said image data" and (2) "automatically initiating execution of said project definition in response to a change to said image data in said data source."

1.   The references fail to teach or suggest a project definition as required by the claims.

Claim 1 requires "storing a project definition that is operable when executed to process said image data." The *Coile-Hasegawa-Nguyen-Anabuki* combination fails to teach or suggest these claimed aspects.

As teaching this element, the *Office Action* cites *Hasegawa*, column 30, lines 44-52, which states:

> The editing and processing section 3201, rectangle computing
> section 3202, blank extracting section 3203, color specifying
> section 3204, clearing section 3205, image rotating section
> 3206, and image separating section 3207 realize the respective
> functions when the CPU 201 or other related section executes
> commands according to instructions described in programs
> such as an operating system or application programs recorded
> in a storage medium such as the ROM 202, RAM 203, hard
> disk 205, or floppy disk 207.

The *Office Action*, thus, apparently asserts that the components displayed in *Hasegawa*, Figure 32, item 304 (*e.g.*, the editing and processing section 3201, rectangle computing section 3202, etc.) teach "storing a project definition that is operable when executed to process said image data." Applicant respectfully disagrees. The cited portion of *Hasegawa* identifies the system components that manipulate data in order to edit and process an image as and when instructed by other devices. (*See, e.g., Hasegawa*, col. 30, lines 13-19). While *Hasegawa* teaches storing the new image data after these components manipulate the original data, Applicant cannot locate any reference to storing a "project definition" or anything

having remotely similar characteristics. (*Hasegawa*, col. 30, lines 23-26). Thus, *Hasegawa* fails to teach or suggest storing a project definition.

Also, *Hasegawa* fails to teach or suggest "displaying a project window that includes a graphical representation of [the] project definition," as further required by Claim 1. As teaching these claimed aspects, the *Office Action* points to *Hasegawa*, Figures 5-9 and column 33, lines 8-35. While *Hasegawa* illustrates a graphical interface, this interface merely displays multiple versions of an image to permit a user to view the effect of different combinations of parameters on peripheral images related to a reference image. (*See Hasegawa*, col. 2, line 62 – col. 3, line 8 & Figure 9). This is not a graphical representation of a project definition. Further, the portion of *Hasegawa* cited as teaching the "project definition" (*Hasegawa*, col. 30, lines 13-19) is not graphically represented by this or any other kind of displayed project window. Thus, the disclosure of *Hasegawa* does not teach or suggest the claimed project definition or the displayed project window that includes a graphical representation of the project definition.

Additionally, Claim 1 requires the "project definition" to include multiple function portions each corresponding to a function definition. *Hasegawa* fails to teach or suggest these claimed aspects. Thus, the disclosure of *Hasegawa* cannot teach or suggest a project definition.

Finally, Applicant respectfully submits that the *Office Action* fails to establish a *prima facie* case of obviousness because the *Office Action* relies on two different embodiments of *Hasegawa* without providing a suggestion or motivation for the combination. The *Office Action* cites: (1) Figures 5-9 of *Hasegawa* as displaying a graphical representation of the project definition, and (2) the editing and processing section 3201 and other elements shown in Figure 32 of *Hasegawa* as storing the project definition. (*Office Action*, pgs. 6-7; *Hasegawa*, col. 30, lines 44-52). However, Figures 5-9 and Figure 32 show different embodiments of *Hasegawa*'s invention. As explained by *Hasegawa*, "FIG. 5 is an explanatory view showing one example of a screen displayed on a display of the image processing apparatus according to Embodiment 1." (*Hasegawa*, col. 5, line 65 - col. 6, line 12.) Figures 6-9 are similarly limited to Embodiment 1. On the other hand, "FIG. 32 is a block diagram functionally showing configuration of an image changing section and a

peripheral section thereof in the image processing apparatus according to Embodiment 7 of the present invention." (*Hasegawa*, col. 7, lines 21-24).

The *Office Action* attempts to combine selected features extracted from the first embodiment of *Hasegawa* with other features extracted from the seventh embodiment of *Hasegawa*. However, the *Office Action* does not cite to any suggestion or motivation to extract features from two different embodiments and combine them. (*See* M.P.E.P. §2143.01). Without these showings, Applicant submits that the *Office Action* has not made a *prima facie* case that the combination is obvious. Thus, any reliance on a combination of Figures 5-9 and Figure 32 is improper.

Anabuki fails to remedy the deficiencies of *Hasegawa*. Moreover, Neither *Coile* nor *Nguyen* deal with the processing of image data. Thus none of these references teach or suggest the claimed project definition. Also, none of these references teach or suggest the displayed project window that includes a graphical representation of the project definition and that allows user interaction with the project definition.

Applicant thus respectfully submits that *Coile, Hasegawa, Nguyen,* and *Anabuki,* whether taken alone or in combination, fail to teach or suggest every element of Claim 1. Likewise, independent Claims 7, 11, and 16 include limitations that, for substantially similar reasons, are not taught or suggested by the references. Because *Coile, Hasegawa, Nguyen,* and *Anabuki,* whether taken alone or in combination, fail to teach or suggest every element of independent Claims 1, 7, 11, and 16, Applicant respectfully requests reconsideration and allowance of Claims 1, 7, 11, and 16, and their respective dependent claims.

2.   **The references fail to teach or suggest automatically initiating execution of the project definition in response to a change to the image data in the data source.**

Claim 1 also requires "automatically initiating execution of said project definition in response to a change to said image data in said data source." The *Coile-Hasegawa-Nguyen-Anabuki* combination fails to teach or suggest these claimed aspects.

As teaching this element, the *Office Action* points to a discussion in *Nguyen* of automatic database triggers. (*Office Action*, pg. 7). The cited portion of *Nguyen* discusses generic database triggers, such as an automatic notification letter sent upon the change of an

address. (*Nguyen*, col. 4, lines 5-13). Generic database triggers, however, fail to teach or suggest the specific operation set forth in the claim, which requires "automatically initiating execution of said project definition in response to a change to said image data in said data source."

Moreover, *Nguyen* teaches away from the combination. The cited portion of *Nguyen* discusses deficiencies of the prior art: "While convenient, [database triggers] can also increase the overhead consumed by a DBMS." (*Nguyen*, col. 4, lines 12-13). *Nguyen* continues by stating that the invention of *Nguyen* seeks to overcome this and other deficiencies. (*Nguyen*, col. 4, lines 26-33). When one reference identifies operations that are undesirable, one of skill in the art would not be motivated to combine, and in fact would be discouraged from combining, those teachings with other references. Rather, when one reference discourages particular operations, as *Nguyen* does here, that reference teaches away from a combination. *See, e.g., In re Gurley*, 27 F.3d 551, 553 (Fed. Cir. 1994). Thus, Applicant respectfully submits that the combination is improper and fails to teach or suggest all elements of the claims.

Additionally, the *Office Action* states that "broadly providing a mechanical or automatic means to replace manual activity which has accomplished the same result involves only routine skill in the art." (*Office Action*, pg. 7). However, Applicant respectfully submits that the *Office Action* does not identify previous manual operations that accomplish all of the claimed aspects. In combination with a number of other elements, Claim 1 requires "automatically initiating execution of said project definition in response to a change to said image data in said data source." Instead of simply providing automatic means to replace a manual activity, this element requires a particular type of operation that works in conjunction with other elements of the claims. The *Office Action* has not shown any previous manual operations that would achieve all of the claimed aspects. Therefore, Claim 1 does not simply propose the automation of a previously manual process.

Applicant thus respectfully submits that *Coile, Hasegawa, Nguyen,* and *Anabuki,* whether taken alone or in combination, fail to teach or suggest every element of Claim 1. Likewise, independent Claims 7, 11, and 16 include limitations that, for substantially similar reasons, are not taught or suggested by the references. Because *Coile, Hasegawa, Nguyen,* and *Anabuki,* whether taken alone or in combination, fail to teach or suggest every element of

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independent Claims 1, 7, 11, and 16, Applicant respectfully requests reconsideration and allowance of Claims 1, 7, 11, and 16, and their respective dependent claims.

CONCLUSION

Applicant has made an earnest attempt to place the Application in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully requests full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Kurt M. Pankratz, Attorney for Applicant, at the Examiner's convenience at (214) 953-6584.

A Request for Extension of Time and a check in the amount of $120.00 are enclosed herewith. Please charge any additional fees or credit any overpayment to Deposit Account No. 02-0384 of BAKER BOTTS L.L.P.

Respectfully submitted,

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